

Judge Puts Stop Order On CIA Data

By Douglas L. Pardue
Staff Writer

Ruling that the defendant signed away his constitutional right to freedom of speech when he took employment with the Central Intelligence Agency, U.S. District Court Judge Albert V. Bryan Jr., has ordered a permanent injunction on all writings and lectures of a former agent who has authored material critical of the security agency.

In his nine-page decision, which was handed down late Friday, Judge Bryan noted that the defendant, Victor L. Marchetti of Vienna, who quit the CIA in 1969 after 14 years as a CIA agent, signed two secrecy agreements which contractually prohibit him from discussing anything, based on his experience in the CIA.

Marchetti's attorney, Melvin Wulf, an American Civil Liberties lawyer, argued during the case, heard in closed court be-

cause of classified material discussed, that Marchetti's First Amendment right to freedom of speech supersedes any contractual agreements. Consequently, he argued, Marchetti has the right to write or give lectures based on his experiences in the CIA.

Marchetti, who admitted his writings are based on his experiences in the CIA, said during the trial that he exercises restraint and has not revealed anything which in his opinion could harm U.S. security. He said his writings are intended to point out what he feels are transgressions by the CIA of its function.

The case, said Wulf, is similar to the Pentagon Papers case in that the CIA is trying to exercise prior restraint and because Marchetti is trying to expose actions by the spy agency, which have nothing to do with U.S. security and which are potentially harmful to the rights of U.S. citizens.

Bryan denied Wulf's argument stating that "it is not the role of the court to determine whether material should be classified or whether, even if classified, its revelation is material."

"In the opinion of the court," said Bryan, "the contract takes the case out of the scope of the First Amendment and, to the extent the First Amendment is involved, the contract constituted a waiver of the defendant's rights thereunder." Consequently, noted Bryan, the case is merely one of a dispute between an employer and employee and is not similar to the Pentagon Papers case.

Marchetti, who receives the bulk of his income from his writings, said this morning that he will definitely appeal the decision. Anticipating Bryan's action, Marchetti said, "My lawyers have already made the necessary arrangements."

Marchetti said he plans to appeal on the grounds that his writings, although based on experiences, are fictional and should not be subject to the secrecy oath. The CIA countered that argument during the trial saying that Marchetti's fictional writings approximate reality to such an extent that they jeopardize U.S. security.

A Coup in Greece; A Bit of Blackmail

By Marquis Childs

AS IT TURNED out, the top-secret meeting in Washington in mid-February was like the lament of a Greek chorus for the tragedy to come. Around the table were military, intelligence, State—all the powers dealing with the Greek problem.

CIA reports had left no doubt that a military coup was in the making with the knowledge if not the sanction of King Constantine. It could hardly have been a secret. Since 1947 the Greek army and the American military had groups in Athens, numbering several hundred, have worked as part of the same team. The team has spent something under \$2 billion on the guns, planes, tanks and ships of the Greek forces.

The obvious question was whether by some subtle political intervention the coup could be prevented. Could parliamentary government be saved even though George Papandreu and his son, Andreas, were driven from the political scene? This last was the goal of the extreme right among the military. The elder Papandreu had become something of a folk hero—he had obtained the largest right majority in the history of Greek elections in modern times. To throw him out would be to throw out the symbol of the democratic process. A "plot" had been worked up, believed largely the fabrication of the military, and Andreas was under investigation for possible conspiracy to commit treason.

THE CONSENSUS around the table, after some hand-wringing with agonized expressions of the consequences, was that no course of action was feasible. As one of the Greek officials present recalls it, John Foster Dulles, the State's adviser on international affairs, closed the meeting with these words: I hope you gentlemen, that what we have decided here, or rather have failed to decide, makes the future course of events in Greece inevitable.

The generals have now run their course and Greece is under a Fascist dictatorship like that in Italy in 1925 and 30s. The knock on the door is the stern dicta on dress and religion, thousands of arrests of political figures, slaying from left to right, all the operations of fear and intimidation—these the grim shadow that has fallen across an important piece of what is so often called "the free world."

There is a supreme irony. For Greece has been saved, with the help of massive and invaluable American aid, put down a Communist-led rebellion and seemed to have achieved stability with Western help. Marcelling political factions and palace intrigues.

What happened in Athens is described by those with intimate knowledge as a coup within a coup. The colonels took over with the sanction of one right-wing general. It is widely agreed that, if it had not been for the coup, the elections late this month would have returned Konstantinos Karamanlis.

So far the military has been more than an obedient servant. Robert S. McNamara, returning from a visit to Greece in Paris, said he told the Greek defense minister that the United States would stand aloof until constitutional government was restored.

The State Department line is that an official statement might precipitate a civil war. How this could happen in view of the tight clamp of the military with all the weapons of mass destruction in their hands is hard to see.

One of the few protests came from John Claiborne Pell (D-R.I.), who has a background both in diplomacy and politics. At the very worst, he said, a government controlled by Papandreu might have withdrawn Greece from NATO and put the country in a neutral position between East and West. While this would be dismaying, if a Greek government so decided, he went on, it should take place.

THE ATTEMPT to smear Andreas Papandreu as a Communist goes back a long way, joined by certain American commentators. Objective observers who know him well in this country and for many years in Greece call this nonsense, although they readily agree he was inept in the savage infighting of Greek politics. His economic views are those of the American New Deal. Serving in his father's cabinet he proposed basic reforms, including taxing the very rich.

The effect is of a scratched record being played over once again. Col. Nikolaos Makarezos, Minister of Coordination, in a recent interview said the United States should hurry up and send more military aid to keep Greece from communism—two American ships with aid have been held up. From another junta source came the suggestion that if Andreas Papandreu's friends wanted to save him from execution they had better see that this aid came quickly. That is not so polite a bit of blackmail.

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